

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**SD/WV Case Number: 2:21-mj-00058**

**District of Columbia  
Case Number: 1:21-mj-00235**

**ERIC GENE BARBER**

**ORDER**

On March 3, 2021, a person appeared for the purpose of an initial appearance following his arrest on a warrant issued from the District of Columbia. Joshua C. Hanks, Assistant United States Attorney, was present for the United States and Rhett H. Johnson, Assistant Federal Public Defender, was present for this person. Also present was Heather Edwards, United States Probation Officer.

The Court advised the person of the provisions of Rule 5 of the Federal Rules of Criminal Procedure and that he had a right to a hearing to determine whether he was the same person named in the petition and arrest warrant. The person, hereinafter the defendant, waived his right to a Rule 5 Identity Hearing, Preliminary Hearing, and Detention Hearing by executing a written waiver. The defendant requests that the identity hearing, preliminary hearing, and detention hearing be held in the District of Columbia. A Waiver of Rule 5 & 5.1 Hearings signed by the defendant and his counsel was submitted to the Court by counsel.

Upon review of the financial affidavit, the Court found that the defendant qualifies for court-appointed counsel based upon the financial affidavit submitted, and it is hereby

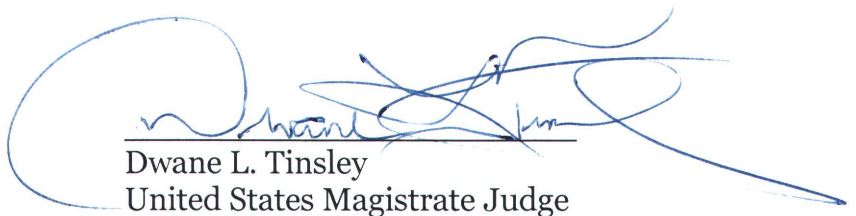
**ORDERED** that the Office of the Federal Public Defender is appointed for the purpose of this proceeding in this district only.

The defendant was not called upon to plead. The Court informed the defendant of the charges filed in the case, of the defendant's right to counsel, and any further proceedings in this matter. The Court further informed the defendant that he was not required to make a statement and that any statement made by the defendant may be used against him.

The Court next inquired of the United States as to its position on detention. The United States advised that it was not requesting detention at this time. Based upon the United States not requesting detention and the recommendation of the probation officer, it is hereby **ORDERED** that the defendant is released on a Ten Thousand Dollar unsecured Appearance Bond with Conditions of Release as outlined under a separate Order. The defendant shall next appear before the Honorable Zia M. Faruqui, United States Magistrate Judge, in the District of Columbia on March 10, 2021 at 1:00 p.m.

The Clerk is directed to provide copies of this Order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshals Service.

**ENTER:** March 4, 2021



Dwane L. Tinsley  
United States Magistrate Judge